



DIVISION

PATENT
3722-0150P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: KE, Ling-Wei

Conf.: 9984

RECEIVED

Appl. No.: 10/602,709

Group: 2819

OCT 08 2004

Filed: June 25, 2003

Examiner: James H. CHO

OFFICE OF PETITIONS

For: EMITTER COUPLED LOGIC CIRCUIT WITH A
DATA RELOAD FUNCTION

NOTIFICATION OF ERRONEOUS PAYMENT OF SMALL ENTITY FEES
UNDER 37 C.F.R. § 1.28

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 5, 2004

Sir:

It is respectfully noted that the above-identified application does not qualify for small entity status under 37 C.F.R. § 1.27(a).

Small entity status was established with the filing of the application on June 25, 2003, and the small entity filing fee was paid in good faith. It has since been discovered that this status as a small entity was established in error, without the intent to deceive.

It is therefore respectfully requested that the error be excused. The following items are being submitted to comply with the requirements of 37 C.F.R. 1.28(c):

- (1) Separate submission for each application or patent.

This request is being submitted in connection with U.S.
Patent Appl. No. 10/602,709.

- (2) Payment of deficiency owed.

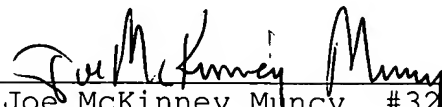
- (i) An \$375.00 small entity filing fee under 37 C.F.R. § 1.16(a) was paid on June 25, 2003, with check number 9003448. The current large entity filing fee is \$790.00. Accordingly, the deficiency owed is \$415.00.
- (ii) A check in the amount of \$415.00 is attached hereto, as payment of the deficiency owed.

It is again noted that the previous establishment of small entity status was made in error, without the intent to deceive. As it is believed that the requirements of 37 C.F.R. § 1.28(c)(1) and (c)(2) have been met, it is respectfully requested that the error be excused and that the U.S. Patent and Trademark Office forward appropriate notification to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
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KM/asc
3722-0150P

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Attachment(s): \$415.00 Check